



▼ International Trade

Requests To Confidentialise Data



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INTERNATIONAL TRADE - REQUESTS TO CONFIDENTIALISE DATA

INTRODUCTION

This paper explains why and how some detailed international merchandise trade statistics are suppressed for confidentiality reasons and describes the relevant legislation under which the data are suppressed. It goes on to provide information on how an entity may register an objection to the disclosure of its data and how such objections are handled by the ABS. The entity lodging such objections is referred to as the claimant.

As Australia's national statistical agency, the ABS has a responsibility to ensure that it provides a quality statistical service while also respecting the rights of those individuals or businesses who provide information from which the statistics are derived.

In providing its statistical service, the ABS operates with due regard to:

- the public benefit generated from access to statistics;
- government policies such as community service obligations;
- user pays, access and equity principles; and
- the Information Privacy Principles.

ABS LEGISLATION

The ABS has a legal obligation to ensure that confidential data are not released. The Census and Statistics Act 1905 sets out the rules governing the collection and dissemination of statistics undertaken by the ABS. The Act provides strong protection for the confidentiality of information supplied to the ABS.

In relation to International Trade statistics, the relevant ABS legislation which makes provision for the protection of confidential data is:

- (a) the Census and Statistics Act 1905 (CSA), subsection 12(2), and subsection 13(1); and
- (b) the Statistics Determination under section 13 of the CSA.

Clause 2 of the Statistics Determination under section 13 of the CSA provides that:

" information in the form of statistics relating to foreign trade, being statistics derived wholly or in part from Customs documents" (Clause 2(2)(b)) ".....may, with the approval in writing of the Australian Statistician, be disclosed except where -

- (a) in the case of information relating to a person, being an individual - that person;
- (b) in the case of information relating to an official body - the responsible Minister in relation to that official body; or
- (c) in the case of information relating to an organisation - a responsible officer of that organisation,

has shown that such disclosure would be likely to enable the identification of that particular person or organisation." (Clause 2(1))

REASONS FOR RESTRICTING THE RELEASE OF INTERNATIONAL TRADE STATISTICS

Potentially, aggregate international merchandise trade statistics are available in a great deal of detail but not all the possible classifications are released. Restrictions are placed on the release of statistics where the data for a claimant is identifiable and that claimant has requested that the data be suppressed. In practice, the way that a restriction is achieved is to conceal the sensitive information by combining it with other data.

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REASONS FOR RESTRICTING THE RELEASE OF INTERNATIONAL TRADE STATISTICS-*continued*

There are many reasons for requests for confidentiality, for example:

- a claimant may not want the total value and/or unit values of their imports or exports to be known, as such knowledge may be damaging to their business activities;
- a claimant may want to protect details of the volumes they trade or the countries from which they import or to which they export;
- an imported commodity may be the subject of an anti-dumping inquiry; or
- exports to or imports from certain countries may be politically sensitive and the claimant may be concerned that disclosure of the country of origin/destination may provoke protests or boycotting from other countries or some sections of the local community.

The ABS will investigate every request for a restriction in terms of the *number of traders and the respective significance of their trade*. However, regardless of the reason for requesting confidentiality, if the person or organisation has shown that disclosure *would enable the identification of that person or organisation*, then the ABS is legally required not to disclose the information.

HOW TO MAKE A REQUEST FOR CONFIDENTIALITY RESTRICTIONS

If a claimant considers that information in the form of international merchandise trade statistics is likely to identify their operations and this is of concern to them, they can request that the data be suppressed by completing the attached Confidentiality Request Form (CRF). The completed form should be sent to:

The Confidentiality Manager
International Trade Section
Australian Bureau of Statistics
PO Box 10
BELCONNEN ACT 2616
Facsimile: (02) 6252 7438

The CRF should include details of:

- the reason that the restriction has been requested;
- the commodity in question, including its HS classification code;
- the statistical classifications which are likely to reveal the claimant's business activities. For example, the claimant may be the predominant importer of a commodity into a particular State or the sole exporter to a particular country;
- the type of data restriction requested. For example, suppression of the unit value for an item, or the details of trade with a particular country, or all details relating to a commodity; and
- the name of the organisation lodging the export data with ACS (for exports) or the owner code (for imports). This information is useful to the ABS in identifying the importer/exporter's trade transactions in Australian Customs records.

In cases where a claim is based on trade that is about to start, details should be provided of expected volumes of trade in addition to the other details listed above.



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HOW THE ABS HANDLES REQUESTS FOR CONFIDENTIALITY RESTRICTIONS

After receiving a request for a commodity restriction, the ABS will investigate the claim. If the investigation confirms that the business activities of the claimant are being disclosed, an appropriate restriction will be implemented. Outlined below are the procedures that the ABS follows in undertaking a confidentiality investigation:

(a) All trade transactions, for the commodity for which a restriction has been requested, are listed for each of the previous 12 months. This shows, for each importer/exporter as well as in aggregate:

- the names of individuals and organisations trading in the commodity;
- countries of origin/final destination for imports and exports respectively;
- state of final destination/origin for imports and exports respectively; and
- value and quantity of the imports/exports.

This listing is used to confirm (or otherwise) the claimant's concerns. The assumption is made that future trade will be similar in significance and distribution to that of the previous 12 months period.

(b) If some of the claimant's trade is identifiable in the aggregates, the next step is to determine, in consultation with the claimant, what type of restriction will satisfy its concern. In doing so, in addition to suppressing a particular aggregate directly, care is taken to make sure that the aggregate is not derivable from other cross-classifications. The aim is to always use the restriction which maximises data availability but which still provides confidentiality to the claimant.

(c) In most cases where a claimant's trade is found to be identifiable, an appropriate restriction on the release of the relevant aggregate will be put in place for a minimum of 12 months. However, if the pattern of trade is infrequent, it may be possible to restrict the data for only those months in which the claimant has trade. In this way the claimant's concerns can be met for the periods during which it trades while still releasing useful data for other periods. If this option is used, the claimant will be requested to provide notice of the timing of future trade (date of arrival/departure) so that appropriate restrictions can be put in place before the start of statistical processing for the months involved.

(d) On completion of the investigation, the claimant will be contacted in writing and advised of the outcome. Details of the type of restriction being implemented, the commencement date and the next expected review date for the restriction, will be provided.

(e) If the claimant is not satisfied with the outcome, they should contact the Confidentiality Manager. For contact details, see below.

TYPES OF CONFIDENTIALITY RESTRICTIONS AVAILABLE

Where restriction of statistics is necessary to preserve confidentiality, the ABS negotiates with the claimant on a form of restriction which protects the claimant's interests while still allowing as much useful statistical information as possible to be released. Where it has been shown that release of certain international merchandise trade statistics would breach confidentiality, one of the following restrictions will be applied to the commodity for which the restriction has been requested:



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Type of Restriction	How the Restriction will Affect Output
No State Details	Suppresses all details of Australian States of final destination/discharge for imports, and Australian State of loading/origin for exports.
Selected State Details	As per No State Details except that only nominated States are suppressed in output, eg Selected State Details NSW, VIC means separate data are not available for NSW or VIC, but they are available for other States.
No Country Details	Suppresses all details of source countries for imports and destination countries for exports; including all overseas port details.
Selected Country Details	As per No Country Details except that only nominated countries are suppressed in output, eg Selected Country Details USA, BRAZ, FGMY means separate data are not available for USA, Brazil or Germany, however they are available for other countries.
No State x Country Details	For selected countries, all State or nominated State details are not provided.
No Quantity Details	Suppresses all quantity and gross weight details.
No Duty Details (import clearances)	Suppresses details of duty paid, duty rate, treatment code and preference code for import commodities.
Combinations of the above	eg: a No Country x No State x No Quantity restriction for export data would suppress all details of destination countries, including all overseas port details, all details of Australian State of origin and all quantity and gross weight details.
No Value Details	Suppresses all value details.
No Value Details for Country	Suppresses all value details by country but retains quantity details by country.
No Commodity Details	Suppresses all commodity details.

Attachment A to this Paper shows examples of the way that statistics which are affected by the various confidentiality restrictions will appear in ABS output.



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IMPLEMENTATION DATE FOR PLACING A COMMODITY RESTRICTION

The restriction chosen to prevent release of confidential data is generally implemented from the beginning of the next month following the completion of the review. Only in exceptional circumstances are restrictions applied to data already processed.

Where trade is yet to commence, a restriction is not put in place until trade actually commences. The claimant is required to inform the ABS of the month in which they expect the trade to commence. In these cases, the restriction will normally be reviewed after three to six months.

DURATION OF A RESTRICTION

Once a restriction is in place the data remains restricted in all output until the restriction is lifted or changed. Restrictions are reviewed periodically to see if they are still warranted in their current form. With changes in the pattern of trade a restriction may be:

- dropped completely;
- amend to restrict less data: or
- tightened to restrict more data.

On completion of the periodic review the claimant is contacted by letter to advise the outcome of the review. If the review had indicated that the data are no longer confidential the claimant is advised accordingly and the restriction is lifted from the month following the review.

It should be noted that the type of restriction placed on a commodity is based on an analysis of trading patterns for the 12 months preceding the initial request. As further data analysis will not be undertaken for at least 12 months, it is important that claimants continue to monitor the statistics in which they have an interest to ensure that current data restrictions continue to meet their requirements. If major changes to trading patterns do occur and the claimant has concerns that their data could now be exposed, they should contact the Confidentiality Manager to request a further review.

THE CONFIDENTIAL COMMODITIES LIST (CCL)

Confidentiality restrictions in Australia's international merchandise trade statistics are all applied at the commodity level. That is, whether the restriction is to suppress country, State, value or duty, it is recorded against the specific commodity item. Details of restrictions on any particular item that are in place for any period are available in the Confidentiality Commodities List (CCL). The CCL details all import and export commodities which have been subjected to confidentiality restrictions since 1 January 1988 and is available in electronic or paper format. Sample pages are shown in Attachment B. The CCL is updated at the start of each month and can be supplied, free of charge, periodically or upon request.

FURTHER INFORMATION

If you have any further queries please contact:

The Confidentiality Manager

Facsimile: (02) 6252 7438

Telephone: (02) 6252 5409

E-mail: international.trade@abs.gov.au



INTERNATIONAL TRADE - REQUESTS TO CONFIDENTIALISE DATA

ATTACHMENT A

EXAMPLES OF HOW CONFIDENTIALITY RESTRICTIONS IMPACT ON INTERNATIONAL MERCHANDISE TRADE STATISTICS RELEASED BY ABS

This attachment provides examples of the way that statistics which are affected by the various confidentiality restrictions appear in ABS output.

Example 1 below presents details of exports of a hypothetical commodity (with the export code '12345678') for one quarter (March quarter) classified by country of destination and State of origin. No confidentiality restrictions have been applied to the data.

Examples 2-8 show the same set of statistics but for each of these examples a different confidentiality restriction has been applied.

Examples 9 & 10 show how data subject to a confidentiality restriction would appear in comprehensive tables showing more than one commodity.

EXAMPLE 1.

Commodity '12345678'

NO RESTRICTIONS APPLIED TO DATA

MAR QTR 1998	Quantity (Kg)	Value (FOB) (\$'000)
Total this item		
Total States	105,480	645
New South Wales	29,163	115
Victoria	41,621	207
Queensland	34,303	321
Western Australia	393	2
Malaysia		
Total States	1,911	10
New South Wales	1,365	7
Queensland	153	1
Western Australia	393	2
Singapore		
Total States	31,005	319
New South Wales	8,798	59
Victoria	1,736	17
Queensland	20,471	242
Taiwan		
Total States	72,564	316
New South Wales	19,000	48
Victoria	39,885	189
Queensland	13,679	78

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EXAMPLE 2. With this type of restriction, data are not available for the individual countries but are presented as a total for the commodity and according to the State of origin.
 'NO COUNTRY DETAILS' RESTRICTION

Commodity '12345678'

MAR QTR 1998	Quantity (Kg)	Value (FOB) (\$'000)
Total this item		
Total States	105,480	645
New South Wales	29,163	115
Victoria	41,621	207
Queensland	34,303	321
Western Australia	393	2
No Country Details		
Total States	105,480	645
New South Wales	29,163	115
Victoria	41,621	207
Queensland	34,303	321
Western Australia	393	2

EXAMPLE 3. With this type of restriction, the data for Singapore and Taiwan have been restricted. Data for these two countries are combined under a 'No Country Details' heading.
 'SELECTED COUNTRY DETAILS' RESTRICTION

Commodity '12345678'

MAR QTR 1998	Quantity (Kg)	Value (FOB) (\$'000)
Total this item		
Total States	105,480	645
New South Wales	29,163	115
Victoria	41,621	207
Queensland	34,303	321
Western Australia	393	2
Malaysia		
Total States	1,911	10
New South Wales	1,365	7
Queensland	153	1
Western Australia	393	2
No Country Details		
Total States	103,569	635
New South Wales	27,798	108
Victoria	41,621	207
Queensland	34,150	320

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EXAMPLE 4. With this type of restriction, data are not available for individual States but are grouped together under a 'No State Details' heading.
 'NO STATE DETAILS' RESTRICTION

Commodity '12345678'

MAR QTR 1998	Quantity (Kg)	Value (FOB) (\$'000)
Total this item		
Total States	105,480	645
No State Details	105,480	645
Malaysia		
Total States	1,911	10
No State Details	1,911	10
Singapore		
Total States	31,005	319
No State Details	31,005	319
Taiwan		
Total States	72,564	316
No State Details	72,564	316

EXAMPLE 5. With this type of restriction, the data for New South Wales, Victoria and Queensland have been restricted. Data for these three States are grouped together under a 'No State Details' heading.
 'SELECTED STATE DETAILS' RESTRICTION

Commodity '12345678'

MAR QTR 1998	Quantity (Kg)	Value (FOB) (\$'000)
Total this item		
Total States	105,480	645
Western Australia	393	2
No State Details	105,087	643
Malaysia		
Total States	1,911	10
Western Australia	393	2
No State Details	1,518	8
Singapore		
Total States	31,005	319
No State Details	31,005	319
Taiwan		
Total States	72,564	316
No State Details	72,564	316

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EXAMPLE 6. With this type of restriction, no value details are available for the commodity. There is no special descriptor or code in statistical output that indicates that this restriction has been applied; the 'Value' column will just show dashes.
 'NO VALUE DETAILS' RESTRICTION

Commodity '12345678'

MAR QTR 1998	Quantity (Kg)	Value (FOB) (\$'000)
Total this item		
Total States	105,480	-
New South Wales	29,163	-
Victoria	41,621	-
Queensland	34,303	-
Western Australia	393	-
Malaysia		
Total States	1,911	-
New South Wales	1,365	-
Queensland	153	-
Western Australia	393	-
Singapore		
Total States	31,005	-
New South Wales	8,798	-
Victoria	1,736	-
Queensland	20,471	-
Taiwan		
Total States	72,564	-
New South Wales	19,000	-
Victoria	39,885	-
Queensland	13,679	-

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EXAMPLE 7. With this type of restriction, no quantity details are available for the commodity. There is no special descriptor or code in statistical output that indicates that this restriction has been applied; the 'Quantity' column will show dashes.

'NO QUANTITY DETAILS' RESTRICTION

Commodity '12345678'

MAR QTR 1998	Quantity (Kg)	Value (FOB) (\$'000)
Total this item		
Total States	-	645
New South Wales	-	115
Victoria	-	207
Queensland	-	321
Western Australia	-	2
Malaysia		
Total States	-	10
New South Wales	-	7
Queensland	-	1
Western Australia	-	2
Singapore		
Total States	-	319
New South Wales	-	59
Victoria	-	17
Queensland	-	242
Taiwan		
Total States	-	316
New South Wales	-	48
Victoria	-	189
Queensland	-	78

EXAMPLE 8. With this type of restriction, the most severe, there is no output for the commodity. All details including the commodity code and unit of quantity have been suppressed. There is no special descriptor or code in statistical output that indicates that this restriction has been applied.

'NO COMMODITY DETAILS' RESTRICTION

In tables showing two or more commodities exported or imported by country or State, any commodities subject to a restriction would be included in a single dummy confidentiality code so that data on total trade for that country or State continues to be available.

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EXAMPLE 9. Example 9 shows selected commodities exported to the United Kingdom in the March quarter 1998. Any selected commodities subject to a 'No Commodity Details' restriction, a 'SELECTED 'No Country Details' restriction, or 'Selected Country Details' restriction (where the COMMODITIES BY selected country is the United Kingdom) would be included in the one dummy COUNTRY' confidentiality code - 99999999. RESTRICTION

Country - United Kingdom

MAR QTR 1998		Quantity (Kg)	Value (FOB) (\$'000)
Total this item		105,480	645
08013200	Cashew nuts - shelled	1,911	10
18063290	Chocolate confectionary - not filled	29,550	210
29024300	Cyclic hydrocarbons	12,679	100
39031100	Polymers of styrene, in primary form	29,696	6
99999999	Confidential commodities	31,005	319

EXAMPLE 10. Similarly, Example 10 shows selected commodities exported from NSW in the March quarter 1998. Any selected commodities subject to a 'No Commodity Details' restriction, a 'SELECTED 'No State Details' restriction, or 'Selected State Details' restriction (where the COMMODITIES BY State is NSW) would be included in the one dummy STATE' confidentiality code - 99999999. RESTRICTION

State - NSW

MAR QTR 1998		Quantity (Kg)	Value (FOB) (\$'000)
Total this item		105,480	645
08013200	Cashew nuts - shelled	1,911	10
18063290	Chocolate confectionary - not filled	29,550	210
29024300	Cyclic hydrocarbons	12,679	100
39031100	Polymers of styrene, in primary form	29,696	6
99999999	Confidential commodities	31,005	319

PRESENTATION OF DATA Confidentiality restrictions are normally only applied at the commodity level. IN NON COMMODITY TABLES

Where a table does not show detail at the commodity level, eg. total exports by country, confidentiality restrictions would not be applied to the data in the table. Similarly where a State table does not show any detail at the commodity level, eg. total exports by State of origin, confidentiality restrictions would not be applied to the data in the table.



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ATTACHMENT B

SAMPLE PAGES OF THE CCL



H.T.I.S.C. Item	HTISC Commodity Description	Restriction Applied	Month of Effect	Month of Cessation
2101.11.00/37	Extracts, essences and concentrates of coffee (excluding decaffeinated) in packs not exceeding 30 kg	No Quantity Details	JUN 1999	APR 2001
2101.11.00/37	Extracts, essences and concentrates of coffee (excluding decaffeinated) in packs not exceeding 30 kg	No State Details Selected Country Details: BRAZ COMB FRAN RKOR UK	MAY 2001	
2836.20.00/26	Disodium carbonate	No State x Cty Detail for All States CHIN SING USA No Duty Details	MAY 2001	
2901.24.00/05	Unsaturated buta-1,3-diene and isoprene acyclic hydrocarbons	Broad Commodity Details See Item 2999888899	JUL 1991	APR 2001
4009.50.90/20	Tubes pipes & hoses of vulcan rubber other than hard rubber with fittings (excl replacement components for passenger motor vehicles, fibre reinforced, and wire braided)	No State x Cty Detail for All States MLAY UK	JUL 1999	APR 2001
4009.50.90/20	Tubes pipes & hoses of vulcan rubber other than hard rubber with fittings (excl replacement components for passenger motor vehicles, fibre reinforced, and wire braided)	No State Details Selected Country Details: FGMY ITAL MLAY	MAY 2001	
7215.90.00/55	Bars and rods of iron or non-alloy steel, not further worked than cold-formed or cold-finished, excl. "flattened circles" and "modified rectangles" asdefined in Note 1(m) to Chapter 72 & free cutting steel	Selected State Details: NSW QLD Selected Country Details: CZEH INIA JAP	FEB 2001	APR 2001
7215.90.00/55	Bars and rods of iron or non-alloy steel, not further worked than cold-formed or cold-finished, excl. "flattened circles" and "modified rectangles" asdefined in Note 1(m) to Chapter 72 & free cutting steel	No State Details Selected Country Details: CZEH INIA JAP TAIW USA	MAY 2001	

A.H.E.C.C. Item	AHECC Commodity Description	Restriction Applied	Month of Effect	Month of Cessation
2939.90.00	Vegetable alkaloids, natural or synthetic, and their salts, ethers, esters and other derivatives, not put up as medicaments	No Commodity Details	AUG 1993	APR 2001
3920.62.00	Plates, sheets, film, foil and strip nes, of polyethylene terephthalate, non-cellular and not reinforced, laminated, supported or similarly combined with other materials	No Quantity Details	MAY 1999	APR 2001
4401.22.20	Non-coniferous woodchips or particles	Selected State Details: NSW TAS VIC Selected Country Details: INDO JAP TAIW	JUN 2000	APR 2001
4401.22.20	Non-coniferous woodchips or particles	Selected State Details: TAS VIC Selected Country Details: INDO JAP	MAY 2001	



International Trade Section Request for an Export Confidentiality Restriction

Claimant Details

Name of Organisation: _____

Contact Name (s): _____

Address: _____

Phone: () _____ Fax: () _____

Email Address: _____

Export Code for Restriction (8 digits):

<input type="text"/>							
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Commodity description:

Reasons for requesting the restriction

Briefly state the nature of your concern (*e.g. You may be the predominant exporter of a commodity to a particular country or the sole exporter of a commodity from a particular State*):

Type of Restriction requested (*broad details only*)

Details to identify your trade transactions in Customs records

Who lodges your export entries?

Has trade already commenced for this commodity?

YES NO (*See Below)

* If trade has not already commenced please provide details of expected volumes of trade over the next 6 to 12 months, for example supply contracts or invoices:

Time period required for the restriction:

From: _____ (month/year)

To: _____ (month/year)

Does your organisation subscribe to International Trade Statistics for the above commodity?

YES NO

Signed: _____ Date: _____

Please return this form to: The Confidentiality Manager
International Trade Section
Australian Bureau of Statistics
PO Box 10
BELCONNEN ACT 2616

Facsimile: (02) 6252 7438
Telephone: (02) 6252 5409
E-mail: international.trade@abs.gov.au

You will be notified by letter regarding the outcome of this request for a confidentiality restriction.



International Trade Section Request for an Import Confidentiality Restriction

Claimant Details

Name of Organisation: _____

Contact Name (s): _____

Address: _____

Phone: () _____ Fax: () _____

Email Address: _____

Import Code for Restriction (10 digits):

Commodity description:

Reasons for requesting the restriction

Briefly state the nature of your concern (*e.g. You may be the predominant importer of a commodity into a particular State or the sole importer from a particular country*):

Type of Restriction requested (*broad details only*)

Details to identify your trade transactions in Customs records

Owner code/s used to clear your imports:

- 1. _____
- 2. _____
- 3. _____
- 4. _____

Has trade already commenced for this commodity?

YES NO (*See Below)

* If trade has not already commenced please provide details of expected volumes of trade over the next 6 to 12 months, for example supply contracts or invoices:

Time period required for the restriction:

From: _____ (month/year)

To: _____ (month/year)

Does your organisation subscribe to International Trade Statistics for the above commodity?

YES NO

Signed: _____ **Date:** _____

Please return this form to: The Confidentiality Manager
International Trade Section
Australian Bureau of Statistics
PO Box 10
BELCONNEN ACT 2616

Facsimile: (02) 6252 7438
Telephone: (02) 6252 5409
E-mail: international.trade@abs.gov.au

You will be notified by letter regarding the outcome of this request for a confidentiality restriction.